22

23

24

25

26

27

28

1

2

3

4

5

6

7

## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT,

No. C 04-04632 SI

ORDER RE FORM OF JUDGMENT

Plaintiff,

WILLIAM D. SPENCER, et al.,

Defendants.

The Court received defendants' letter dated February 23, 2007, enclosing a form of judgment. Defendants' analysis, as set out in the cover letter, is incorrect, inconsistent with the instructions given to the jury, inconsistent with the verdict form and inconsistent with this Court's order issued February 13, 2007 concerning the statute of limitations. It is rejected.

## IT IS SO ORDERED.

21 Dated: February 27, 2007

United States District Judge